

AMENDED IN ASSEMBLY AUGUST 7, 2000

AMENDED IN SENATE MAY 11, 2000

AMENDED IN SENATE APRIL 13, 2000

AMENDED IN SENATE MARCH 27, 2000

SENATE BILL

No. 2084

**Introduced by Senator Polanco
(Principal coauthor: Senator Peace)**

February 25, 2000

An act to amend Section 13340 of, and to add Sections 29145 and 43402 to, the Government Code, to amend Sections 10752, 10753, 10753.1, 10753.2, and 10753.9 of, and to add Sections 225, ~~40851.5~~, and 11006 to, the Revenue and Taxation Code, and to amend Sections 260, 550, 630, 4000, 4004, 4150.1, 4458, 5000, *5011*, 5014, 5015, 5016, 5017, 5101, 5103, 5106, 5108, 5204, 5301, 5302, 5305, 5902, 8000, 8054, 9250.7, 9250.8, 9250.10, 9250.13, 9250.14, 9250.19, 9260, 9261, 9400, 9406, 36010, and 36109 of, and to add Sections 288, 289, 468, 4000.6, 5014.1, 9250.20, 9400.1, 9406.1, 9554.2, 27910, and 42030.1 to, *and to repeal Sections 6851 and 6851.5 of*, and to amend and renumber Section 390 of, the Vehicle Code, relating to vehicles, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 2084, as amended, Polanco. Vehicles: fees.

(1) The Vehicle License Fee Law provides that the annual amount of the license fee for any vehicle is 2% of the market

value of the vehicle, as specified. Also, provisions of existing law provide that the Legislature shall reimburse local agencies annually for certain property tax revenues lost as a result of any exemption or classification of property for purposes of ad valorem property taxation.

The California Constitution authorizes the Legislature to classify personal property for differential taxation or for exemption by means of a statute approved by a $\frac{2}{3}$ vote of the membership of each house.

This bill would enact the Commercial Vehicle Registration Act of ~~2000~~ 2001 (the act). The bill would remove ~~commercial~~ trailers and semitrailers from the Vehicle License Fee Law; ~~and would, upon the implementation of the permanent trailer plate identification program, as described in (3), provide that moneys equal to the sum of vehicle license fees previously collected from commercial trailers or semitrailers under the unladen weight registration system are incorporated into the declared gross vehicle weight fee schedule. The bill would provide that fees collected under the permanent trailer plate identification program as gross weight fees are declared to be the successor to the former vehicle license fee provisions applicable to commercial vehicles and subject to specified provisions of the California Constitution. Pursuant to this constitutional authorization, this bill would exempt from personal property taxation, a commercial motor vehicle or commercial trailer or semitractor, as specified.~~

~~This bill would provide that, notwithstanding the above described provisions of existing law regarding lost personal property tax revenues, no appropriation is made and the state shall not reimburse local agencies for property tax revenues lost by them pursuant to the bill.~~

(2) Existing law prohibits a person from driving, moving, or leaving standing upon a highway, or in an offstreet public parking facility, any motor vehicle, trailer, semitrailer, pole or pipe dolly, logging dolly, or auxiliary dolly unless it is registered and the appropriate fees have been paid under the Vehicle Code.

This bill would require *that* any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight, as defined, that exceeds 10,000 pounds ~~to~~

~~register be registered with the department and to pay a fee based on the vehicle's gross vehicle weight, as provided. This bill would require a person submitting an application for registration of a commercial motor vehicle to declare the combined gross weight of all units when applying for registration with the department. The bill would also require the commercial motor vehicle's registered owner or the owner's designee to complete a form provided by the department and to be issued a license plate.~~

(3) Existing law provides that a fleet owner may make a certain declaration on a single form for all commercial motor vehicles registered in the fleet owner's name.

This bill would delete fleet owners from this provision and instead make the provision applicable to registered owners, lessors, or designees.

(4) Existing law provides for the issuance of identification plates for certain vehicles, including tow dollies.

The bill would delete tow dollies from that identification plates program and other provisions.

The bill would require, upon the implementation of the permanent trailer identification plate program, which shall commence on ~~January 1, December 31, 2001~~, that specified trailers, including tow dollies, be assigned permanent trailer identification plates and be issued an identification certificate which shall be available for inspection by a peace officer. ~~The bill would require an unspecified service fee to be assessed and would require an applicant for renewal of a permanent trailer identification plate to be charged a \$25 annual fee. This bill would require the department to assess a service fee, not to exceed \$20, upon assigning a permanent trailer identification plate. This bill would require that an applicant for renewal of permanent trailer identification plates pay a \$25 annual fee.~~ The bill would make corresponding changes.

~~(4)~~

(5) Under existing law, the registered owner or lessee of a fleet of vehicles consisting of motor vehicles or commercial trailers, as specified, or passenger automobiles is authorized to apply to the department for permanent license plates or decals and registration cards.

This bill would delete commercial trailers from that program, would limit the program to motor vehicles, would allow participation in the program to continue in the program for 5 years after implementation of the act even though those participants are out of compliance with the act, and would make related changes.

~~(5)~~

(6) Existing law allows the Reciprocity Commission to enter into agreements that provide exemption of regulatory fees that are, or may be imposed, by the Public Utilities Commission.

This bill would include regulatory fees that are, or may be imposed, by the department within the above provision.

~~(6)~~

(7) Existing law requires an application for a transfer of registration of commercial motor vehicles, as specified, to include a specified declaration by the owner to the department.

This bill would require, additionally, that an application for a transfer of a commercial motor vehicle that exceeds 10,000 pounds declared gross vehicle weight, include a notification, made by the new registered owner, or that owner's designee, of the declared gross vehicle weight of the commercial motor vehicle, singly or in combination.

~~(7)~~

(8) Existing law requires the department, upon the application for transfer of ownership of a fleet of vehicles apportionately registered to permit registration in the new owners name without reassessing the registration, weight, and vehicle license fees, if the application of the new ownership is for the same fleet interstate operation as the previous owner.

This bill would require the new owner, ~~or the owner's lessee, or their~~ designee, to certify the declared gross vehicle weight of the vehicle or vehicles on a single form for all commercial motor vehicles registered in the fleet owner's *or lessee's* name and would impose related duties on the department.

~~(8)~~



(9) Existing law authorizes local governments to impose additional registration or renewal registration fees on vehicles, as specified.

This bill would exempt ~~commercial~~ trailers and semitrailers from these provisions and would impose those additional fees on the owners of all commercial motor vehicles, as specified.

~~(9)~~

(10) Under existing law, the fee for a foreign trip permit issued for a commercial trailer meeting the registration requirements of a foreign jurisdiction is \$5.

This bill would delete that fee.

~~(10)~~

(11) Existing law requires, in addition to any other registration fee, the payment of fees for the registration of any commercial vehicle based on its unladen weight.

This bill would set forth an additional schedule. The existing schedule, as revised, would apply to any commercial vehicle singly, or in combination, that operates with a declared gross vehicle weight of 10,000 pounds or less, including pickup trucks. The new schedule of fees would apply to the registration of commercial motor vehicles, operated either singly or in combination, with a declared gross vehicle weight of 10,001 pounds or more. *The new schedule would not include pickup truck weight fees.* The bill would revise the definition of “farm trailers” to conform to the weight changes made by the bill.

The bill provides a schedule of fines for persons who violate any declared gross vehicle weight limitations provided for in the bill.

The bill would require that, upon the operation of a commercial motor vehicle at a greater gross vehicle weight than ~~that~~ had been reported to and registered by the department, a new registration application be made to the department.

~~(11)~~

(12) The bill would require the Department of the California Highway Patrol, after consultation with representatives from the Department of Transportation, the Board of Equalization, the Department of Motor Vehicles, and the commercial vehicle industry, to provide, on or before



an unspecified date, recommendations to the Legislature for actions to be taken to ensure compliance with the provisions of the bill.

(12)

(13) The bill would require the Department of ~~Transportation~~ *Motor Vehicles*, in consultation with the Department of the California Highway Patrol, the Department of ~~Motor Vehicles~~ *Transportation*, the Board of Equalization, and the commercial vehicle industry, to review and report on or before January 1, ~~2002~~ *2003*, and annually thereafter, to the Legislature its findings and, if applicable, make any recommendation as to the necessary adjustments in the fee schedule, to ensure that revenue neutrality is obtained and maintained for all affected entities and funds. This bill would require the Controller, in consultation with the Department of Motor Vehicles and the Department of Finance, to recalculate the distribution of motor vehicle license fees paid by commercial vehicles pursuant to the gross vehicle weight fee schedule and transfer those sums, as specified. This bill would provide that the scheduled disbursement of motor vehicle license fee revenues is not subject to the existing law limitation that General Fund revenues may not be continuously appropriated beyond a certain date. This bill would create special funds in the General Fund which would be continuously appropriated for allocation to each county, city, and city and county in the same manner as those funds were received pursuant to specified provisions of the Vehicle License Fee Law. ~~This bill would also specify how the validity of certain provisions of the bill may be challenged. This bill would provide that specified provisions of the bill shall be operative in the alternative, depending on a determination by the California Supreme Court.~~ *The bill would appropriate \$3,520,809 to the Department of Motor Vehicles from the Motor Vehicle Account in the State Transportation Fund for purposes of implementing the bill.*

(13)

(14) *This bill would require that any challenge relating to the issue of whether or not certain sums qualify as a successor to the Vehicle License Fee Law must be raised before the*

California Supreme Court by writ within 30 days of the date this bill is enacted and becomes operative.

This bill would provide that if a challenge is raised, the provisions of the bill would not become operative until the date the Department of Motor Vehicles is notified by the Department of Finance of a final determination by the California Supreme Court that the revenues collected under a specified section are a successor to the Vehicle License Fee Law.

(15) Because violations of certain of the above fee, weight, and declaration requirements would be a crime under existing law, the bill would impose a state-mandated local program by creating new crimes.

(14)

(16) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(15)

(17) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares
2 that it is necessary to convert California's system of
3 commercial vehicle registration from an unladen weight
4 system to a gross vehicle weight system and to initiate a
5 permanent trailer identification program. Furthermore,
6 it is the intent of the Legislature that this conversion be
7 revenue neutral to all cities and counties and all ~~other~~
8 unladen weight fee system recipients.

9 (b) For the purposes of this act, "revenue neutrality"
10 requires that all recipients of the fees collected under the
11 system in effect on December 31, ~~1999~~ 2000, shall receive
12 the same level of funding, with the same degree of

1 flexibility, after the conversion to the system created by
2 this act.

3 (c) This act shall be known, and may be cited as, the
4 Commercial Vehicle Registration Act of ~~2000~~ 2001.

5 SEC. 1.2. Section 13340 of the Government Code is
6 amended to read:

7 13340. (a) Except as provided in subdivision (b), on
8 and after July 1, ~~2000~~ 2001, no moneys in that fund that,
9 by any statute other than a Budget Act, is continuously
10 appropriated without regard to fiscal years, may be
11 encumbered unless the Legislature, by statute, specifies
12 that the moneys in the fund are appropriated for
13 encumbrance.

14 (b) Subdivision (a) does not apply to any of the
15 following:

16 (1) The scheduled disbursement of any local sales and
17 use tax proceeds to an entity of local government
18 pursuant to Part 1.5 (commencing with Section 7200) of
19 Division 2 of the Revenue and Taxation Code.

20 (2) The scheduled disbursement of any transactions
21 and use tax proceeds to an entity of local government
22 pursuant to Part 1.6 (commencing with Section 7251) of
23 Division 2 of the Revenue and Taxation Code.

24 (3) The scheduled disbursement of any funds by a
25 state or local agency or department that issues bonds and
26 administers related programs for which funds are
27 continuously appropriated as of June 30, ~~2000~~ 2001.

28 (4) Moneys that are deposited in proprietary or
29 fiduciary funds of the California State University and that
30 are continuously appropriated without regard to fiscal
31 years.

32 (5) The scheduled disbursement of any motor vehicle
33 license fee revenues, including the General Fund
34 appropriations made pursuant to Sections 11000 and
35 11000.1 of the Revenue and Taxation Code, to an entity
36 of local government pursuant to the Vehicle License Fee
37 Law (Part 5 (commencing with Section 10701) of
38 Division 2 of the Revenue and Taxation Code).

39 (6) The scheduled disbursement of any motor vehicle
40 license fee revenues, including the General Fund

1 appropriations made pursuant to Sections 11006 of the
2 Revenue and Taxation Code, to an entity of local
3 government pursuant to the Vehicle License Fee Law
4 (Part 5 (commencing with Section 10701) of Division 2 of
5 the Revenue and Taxation Code).

6 (7) The scheduled disbursement of moneys made
7 pursuant to Section 29145.

8 (8) The scheduled disbursement of moneys made
9 pursuant to Section 43402.

10 SEC. 1.3. Section 29145 is added to the Government
11 Code, to read:

12 29145. (a) Beginning on the operative date of
13 Section 55.2 of the act that added this section, the County
14 Successor to Vehicle License Fee Resulting From IRP
15 Conformity Account is hereby created as a special fund
16 in the General Fund. All money in the County Successor
17 to Vehicle License Fee Resulting From IRP Conformity
18 Account is hereby continuously appropriated, without
19 regard to fiscal years, to the Controller for allocation in
20 accordance with subdivision (c).

21 (b) All of the following shall occur on a quarterly basis:

22 (1) The Department of Motor Vehicles, in
23 consultation with the Department of Finance, shall
24 estimate the revenues, ~~less refunds, which~~ *that* represent
25 the amount of vehicle license fees which would be paid
26 by trailers and ~~semi-trailers~~ *semitrailers* pursuant to the
27 Vehicle License Fee Law (Part 5 (commencing with
28 Section 10701) of Division 2 of the Revenue and Taxation
29 Code) had Sections 5014.1 and 9400.1 of the Vehicle Code
30 not been enacted, which would be allocated to a county
31 or city and county pursuant to subdivision (d) of Section
32 11006 of the Revenue and Taxation Code.

33 (2) The Department of Motor Vehicles shall inform
34 the Controller, in writing, of the amount estimated under
35 paragraph (1).

36 (c) The Controller shall then transfer from the
37 General Fund, on a quarterly basis to each county,
38 including a city and county, from the total sums
39 computed pursuant to subdivision (b) an amount which
40 represents the total population of that county bears to the

1 total population of all the counties in the state, as
2 determined pursuant to subdivision (d) of Section 11005
3 of the Revenue and Taxation Code.

4 (d) Funds received by any county, or city and county
5 pursuant to this section may be used by that county, or
6 city and county in the same manner as if those funds were
7 received pursuant to the provisions of subdivision (e) of
8 Section 11005 of the Revenue and Taxation Code.

9 SEC. 1.4. Section 43402 is added to the Government
10 Code, to read:

11 43402. (a) Beginning on the operative date of
12 Section 55.2 of the act that added this section, the City
13 Successor to Vehicle License Fee Resulting From IRP
14 Conformity Account is hereby created as a special fund
15 in the General Fund. All money in the City Successor to
16 Vehicle License Fee Resulting From IRP Conformity
17 Account is hereby continuously appropriated, without
18 regard to fiscal years, to the Controller for allocation in
19 accordance with subdivision (c).

20 (b) All of the following shall occur on a quarterly basis:

21 (1) The Department of Motor Vehicles, in
22 consultation with the Department of Finance, shall
23 estimate the revenues, ~~less refunds, which~~ *that* represent
24 the amount of vehicle license fees which would be paid
25 by trailers and ~~semi-trailers~~ *semitrailers* pursuant to the
26 Vehicle License Fee Law (Part 5 (commencing with
27 Section 10701) of Division 2 of the Revenue and Taxation
28 Code) had Sections 5014.1 and 9400.1 of the Vehicle Code
29 not been enacted, which would be allocated to a city or
30 city and county pursuant to subdivision (c) of Section
31 11005 of the Revenue and Taxation Code.

32 (2) The Department of Motor Vehicles shall inform
33 the Controller, in writing, of the amount estimated under
34 paragraph (1).

35 (c) The Controller shall then transfer from the
36 General Fund, on a quarterly basis to each city, including
37 a city and county, from the total sums computed pursuant
38 to subdivision (b) an amount ~~which~~ *that* represents the
39 total population of that city bears to the total population
40 of all the cities in the state, as determined pursuant to

1 subdivision (d) of Section 11005 of the Revenue and
2 Taxation Code.

3 (d) Funds received by any city pursuant to this section
4 may be used by that city, or city and county in the same
5 manner as if those funds were received pursuant to the
6 provisions of subdivision (e) of Section 11005 of the
7 Revenue and Taxation Code.

8 SEC. 1.5. Section 225 is added to the Revenue and
9 Taxation Code, to read:

10 225. A ~~commercial vehicle~~ trailer or semitrailer that
11 has a valid identification plate issued to it pursuant to
12 Section 5014.1 of the Vehicle Code is exempt from
13 *personal property* taxation.

14 SEC. 2. Section 10752 of the Revenue and Taxation
15 Code is amended to read:

16 10752. The annual amount of the license fee for any
17 vehicle, other than a ~~commercial~~ trailer or semitrailer or
18 a trailer coach ~~which~~ *that* is required to be moved under
19 permit as authorized in Section 35790 of the Vehicle
20 Code, shall be a sum equal to 2 percent of the market
21 value of the vehicle as determined by the department.

22 SEC. 3. Section 10753 of the Revenue and Taxation
23 Code, as amended by Section 15 of Chapter 724 of the
24 Statutes of 1999, is amended to read:

25 10753. (a) Upon the first sale of a new vehicle, other
26 than a ~~commercial~~ trailer or semitrailer, to a consumer
27 and upon each sale of a used vehicle, other than a
28 ~~commercial~~ trailer or semitrailer, to a consumer, the
29 department shall determine the market value of the
30 vehicle on the basis of the cost price to the purchaser as
31 evidenced by a certificate of cost, but not including
32 California sales or use tax or any local sales, transactions,
33 use, or other local tax. "Cost price" includes the value of
34 any modifications made by the seller.

35 (b) Notwithstanding subdivision (a), the department
36 shall not redetermine the market value of used vehicles,
37 or modify the vehicle license fee classification of used
38 vehicles determined pursuant to Section 10753.1 or
39 10753.2, when the seller is the parent, grandparent, child,
40 grandchild, or spouse of the purchaser, and the seller is

1 not engaged in the business of selling vehicles subject to
2 registration under the Vehicle Code, or when a lessor, as
3 defined in Section 372 of the Vehicle Code, transfers title
4 and registration of a vehicle to the lessee at the expiration
5 or termination of a lease.

6 (c) (1) In the event any vehicle, other than a
7 ~~commercial~~ trailer or semitrailer, is modified or additions
8 are made to the chassis or body at a cost of two hundred
9 dollars (\$200) or more, but not including any change of
10 engine of the same type or any cost of repairs to a vehicle,
11 the owner of the vehicle shall report any modification or
12 addition to the department and the department shall
13 classify or reclassify the vehicle in its proper class as
14 provided in Section 10753.1 or 10753.2, taking into
15 consideration the increase in the market value of the
16 vehicle due to those modifications or additions, and any
17 reclassification resulting in increase in market value shall
18 be based on the cost to the consumer of those
19 modifications or additions. In the event any vehicle is
20 modified or altered resulting in a decrease in the market
21 value thereof of two hundred dollars (\$200) or more as
22 reported to and determined by the department, the
23 department shall classify or reclassify the vehicle in its
24 proper class as provided in Section 10753.1 or 10753.2.

25 (2) Paragraph (1) does not apply to any of the
26 following:

27 (A) When the cost of any modification or addition to
28 the chassis or body of a vehicle, other than a ~~commercial~~
29 trailer or semitrailer, is less than two hundred dollars
30 (\$200).

31 (B) When the cost is for modifications or additions
32 necessary to incorporate a system approved by the State
33 Air Resources Board as meeting the emission standards
34 set forth in subdivisions (a) and (b) of former Section
35 39102 and former Section 39102.5 of the Health and Safety
36 Code as they read on December 31, 1975.

37 (C) When the cost is for modifications that are
38 necessary to enable a disabled person to use or operate
39 the vehicle.

1 (d) This section also applies to a system as specified in
2 subdivision (c) that is approved by the State Air
3 Resources Board as meeting the emission standards
4 specified in subdivisions (a) and (b) of former Section
5 39102 and former Section 39102.5 of the Health and Safety
6 Code as they read on December 31, 1975, for vehicles
7 6,001 pounds or less, manufacturer's gross vehicle weight,
8 controlled to meet exhaust emission standards when sold
9 new, when that system is used in any vehicle over 6,001
10 pounds or any vehicle 6,001 pounds or less not controlled
11 to meet exhaust emission standards.

12 (e) The temporary attachment of any camper, as
13 defined in Section 243 of the Vehicle Code, to a vehicle
14 is not a modification or addition for the purposes of
15 subdivision (c).

16 (f) The attachment to a vehicle of radiotelephone
17 equipment furnished by a telephone corporation, as
18 defined in Section 234 of the Public Utilities Code, is not
19 a modification or addition for the purpose of subdivision
20 (c), when that equipment is not owned by the owner of
21 the vehicle.

22 SEC. 4. Section 10753.1 of the Revenue and Taxation
23 Code is amended to read:

24 10753.1. (a) After determining the cost price to the
25 purchaser, as provided in this article, the department
26 shall classify or reclassify every vehicle in its proper class
27 according to the classification plan set forth in this section.

28 (b) For the purpose of this part, a classification plan is
29 established consisting of the following classes: a class from
30 zero dollars (\$0) to and including forty-nine dollars and
31 ninety-nine cents (\$49.99); a class from fifty dollars (\$50)
32 to and including one hundred ninety-nine dollars and
33 ninety-nine cents (\$199.99); and, thereafter, a series of
34 classes successively set up in brackets having a spread of
35 two hundred dollars (\$200), consisting of that number of
36 classes as will permit classification of all vehicles.

37 (c) The market value of a vehicle, other than a
38 ~~commercial~~ trailer or semitrailer, for each registration
39 year, starting with the year the vehicle was first sold to a
40 consumer as a new vehicle, or the year the vehicle was

1 first purchased or assembled by the person applying for
2 original registration in this state, or the year the vehicle
3 was sold to the current registered owner as a used vehicle,
4 shall be as follows: for the first year, 85 percent of a sum
5 equal to the middle point between the extremes of its
6 class as established in subdivision (b); for the second year,
7 85 percent of that sum; for the third year, 70 percent of
8 that sum; for the fourth year, 55 percent of that sum; for
9 the fifth year, 40 percent of that sum; for the sixth year,
10 30 percent of that sum; for the seventh year, 25 percent
11 of that sum; for the eighth year, 15 percent of that sum;
12 for the ninth year, 10 percent of that sum; and for the 10th
13 year and each succeeding year, 5 percent of that sum;
14 provided, however, that the minimum tax shall be the
15 sum of one dollar (\$1). Notwithstanding this subdivision,
16 the market value of a trailer coach first sold on and after
17 January 1, 1966, which is required to be moved under
18 permit as authorized in Section 35790 of the Vehicle
19 Code, shall be determined by the schedule in Section
20 10753.3.

21 (d) This section shall become operative on the first day
22 of the month following the month in which the
23 Department of Motor Vehicles is notified by the
24 Department of Finance of a final judicial determination
25 by the California Supreme Court or any California court
26 of appeal of either of the following:

27 (1) The allocation of funds from the Vehicle License
28 Fee Account or the Vehicle License Fee Growth Account
29 of the Local Revenue Fund established during the
30 1991–92 Regular Session is in violation of Section 15 of
31 Article XI of the California Constitution.

32 (2) The state is obligated to reimburse counties for
33 costs of providing medical services to medically indigent
34 adults pursuant to Chapters 328 and 1594 of the Statutes
35 of 1982.

36 SEC. 5. Section 10753.2 of the Revenue and Taxation
37 Code is amended to read:

38 10753.2. (a) After determining the cost price to the
39 purchaser, as provided in this article, the department
40 shall classify or reclassify every vehicle, other than a

1 commercial trailer or semitrailer, in its proper class
2 according to the classification plan set forth in this section.

3 (b) For the purpose of this part, a classification plan is
4 established consisting of the following classes: a class from
5 ~~no~~ zero dollars (\$0) to and including forty-nine dollars
6 and ninety-nine cents (\$49.99); a class from fifty dollars
7 (\$50) to and including one hundred ninety-nine dollars
8 and ninety-nine cents (\$199.99); and thereafter a series of
9 classes successively set up in brackets having a spread of
10 two hundred dollars (\$200), consisting of ~~such a~~ number
11 of classes ~~as~~ that will permit classification of all vehicles.

12 (c) The market value of a vehicle, other than a
13 ~~commercial~~ trailer or semitrailer, for each registration
14 year, starting with the year the vehicle was first sold to a
15 consumer as a new vehicle, or the year the vehicle was
16 first purchased or assembled by the person applying for
17 original registration in this state, or the year the vehicle
18 was sold to the current registered owner as a used vehicle,
19 shall be as follows: for the first year, 100 percent of a sum
20 equal to the middle point between the extremes of its
21 class as established in subdivision (b); for the second year,
22 90 percent of that sum; for the third year, 80 percent of
23 that sum; for the fourth year, 70 percent of that sum; for
24 the fifth year, 60 percent of that sum; for the sixth year,
25 50 percent of that sum; for the seventh year, 40 percent
26 of that sum; for the eighth year, 30 percent of that sum;
27 for the ninth year, 25 percent of that sum; and for the 10th
28 year, 20 percent of that sum; and for the 11th year and
29 each succeeding year, 15 percent of that sum; provided,
30 however, that the minimum tax shall be the sum of one
31 dollar (\$1). Notwithstanding this subdivision, the market
32 value of a trailer coach first sold on and after January 1,
33 1966, which is required to be moved under permit as
34 authorized in Section 35790 of the Vehicle Code, shall be
35 determined by the schedule in Section 10753.3.

36 (d) This section shall cease to be operative on the first
37 day of the month following the month in which the
38 Department of Motor Vehicles is notified by the
39 Department of Finance of a final judicial determination

1 by the California Supreme Court or any California court
2 of appeal of either of the following:

3 (1) The allocation of funds from the Vehicle License
4 Fee Account or the Vehicle License Fee Growth Account
5 of the Local Revenue Fund established during the
6 1991–92 Regular Session is in violation of Section 15 of
7 Article XI of the California Constitution.

8 (2) The state is obligated to reimburse counties for
9 costs of providing medical services to medically indigent
10 adults pursuant to Chapters 328 and 1594 of the Statutes
11 of 1982.

12 SEC. 6. Section 10753.9 of the Revenue and Taxation
13 Code is amended to read:

14 10753.9. (a) After determining the cost price to the
15 purchaser, as provided in this article, the department
16 shall classify or reclassify every vehicle, other than a
17 ~~commercial~~ trailer or semitrailer, in its proper class
18 according to the classification plan set forth in this section.

19 (b) For the purpose of this part, a classification plan is
20 established consisting of the following classes: a class from
21 ~~no~~ zero dollars (\$0) to and including forty-nine dollars
22 and ninety-nine cents (\$49.99); a class from fifty dollars
23 (\$50) to and including one hundred ninety-nine dollars
24 and ninety-nine cents (\$199.99); and thereafter a series of
25 classes successively set up in brackets having a spread of
26 two hundred dollars (\$200), consisting of that number of
27 classes as will permit classification of all vehicles.

28 (c) The market value of a vehicle, other than a
29 ~~commercial~~ trailer or semitrailer, for each registration
30 year, starting with the year the vehicle was first sold to a
31 consumer as a new vehicle, or the year the vehicle was
32 first purchased or assembled by the person applying for
33 original registration in this state, or the year ownership of
34 a used vehicle was sold or transferred to the current
35 registered owner, shall be as follows: for the first year, 85
36 percent of a sum equal to the middle point between the
37 extremes of its class as established in subdivision (b); for
38 the second year, 85 percent of that sum; for the third year,
39 70 percent of that sum; for the fourth year, 55 percent of
40 that sum; for the fifth year, 40 percent of that sum; for the

1 sixth year, 30 percent of that sum; for the seventh year, 25
2 percent of that sum; for the eighth year, 15 percent of that
3 sum; for the ninth year, 10 percent of that sum; for the
4 10th year and each succeeding year, 5 percent of that
5 sum; provided, however, that the minimum tax shall be
6 the sum of one dollar (\$1). Notwithstanding this
7 subdivision, the market value of a trailer coach first sold
8 on and after January 1, 1966, which is required to be
9 moved under permit as authorized in Section 35790 of the
10 Vehicle Code, shall be determined by the schedule in
11 Section 10753.3.

12 (d) This section shall become operative and shall apply
13 to both of the following:

14 (1) Initial or original registration of any vehicle never
15 before registered in this state for which fees become due
16 on July 15, 1991, and on or before July 31, 1991.

17 (2) Renewal of registration of any vehicle whose
18 registration expires on or before July 31, 1991.

19 ~~SEC. 7. Section 10851.5 is added to the Revenue and~~
20 ~~Taxation Code, to read:~~

21 ~~10851.5. (a) With the implementation of the~~
22 ~~permanent trailer plate identification program, moneys,~~
23 ~~equal to the sum of the vehicle license fees that were~~
24 ~~collected from commercial trailers or semitrailers under~~
25 ~~the unladen weight registration system, prior to January~~
26 ~~1, 2000, shall be incorporated into the declared gross~~
27 ~~vehicle weight fee schedule as set forth in Section 9400.1~~
28 ~~of the Vehicle Code.~~

29 ~~(b) Those moneys described in subdivision (a) shall be~~
30 ~~accounted for and distributed in the same manner as the~~
31 ~~moneys collected for commercial trailer and semitrailer~~
32 ~~vehicle license fees. These fees, which will now be~~
33 ~~collected as part of the gross vehicle weight fees as~~
34 ~~established in Section 9400.1 of the Vehicle Code, are~~
35 ~~declared to be the successor to the former vehicle license~~
36 ~~fee provisions applicable to commercial vehicles and~~
37 ~~subject to Section 15 of Article XI of the California~~
38 ~~Constitution.~~

39 ~~SEC. 7.5.~~

1 *SEC. 7.* Section 11006 is added to the Revenue and
2 Taxation Code, to read:

3 11006. (a) Beginning on the operative date of
4 Section 55.2 of the act that added this section, the
5 Controller, in consultation with the Department of Motor
6 Vehicles and the Department of Finance, shall
7 recalculate the distribution of the amount of motor
8 vehicle license fees paid by commercial vehicles that are
9 subject to Section 9400.1 of the Vehicle Code and transfer
10 those sums as follows in the following order:

11 (1) An amount sufficient to cover all allocations and
12 interception of funds associated with all pledges, liens,
13 encumbrances and priorities as set forth in Section
14 25350.6 of the Government Code, which shall be
15 transferred so as to pay that allocation.

16 (2) An amount sufficient to continue allocations to the
17 State Treasury to the credit of the Vehicle License Fee
18 Account of the Local Revenue Fund, as established
19 pursuant to Section 17600 of the Welfare and Institutions
20 Code, which would be in the same amount had the
21 amendments made to Section 10752 of the Revenue and
22 Taxation Code made by the act that added this section
23 had not been enacted, which shall be deposited in the
24 State Treasury to the credit of the Vehicle License Fee
25 Account Local Revenue Fund of the Local Revenue
26 Fund, as established pursuant to Section 17600 of the
27 Welfare and Institutions Code.

28 (3) An amount sufficient to continue allocations to the
29 State Treasury to the credit of the Vehicle License Fee
30 Growth Account of the Local Revenue Fund, as
31 established pursuant to Section 17604 of the Welfare and
32 Institutions Code, which would be in the same amount
33 had the amendments made to Section 10752 of the
34 Revenue and Taxation Code made by the act that added
35 this section had not been enacted, which shall be
36 deposited in the State Treasury to the credit of the
37 Vehicle License Fee Growth Account of the Local
38 Revenue Fund, as established pursuant to Section 17604
39 of the Welfare and Institutions Code.



(4) An amount sufficient to cover all allocations and interception of funds associated with all pledges, liens, encumbrances and priorities, other than those referred to in paragraph (1), as set forth in Section 25350 and following of, Section 53584 and following of, 5460 and following of, the Government Code, which shall be transferred so as to pay those allocations.

(b) The balance of any funds not otherwise allocated pursuant to subdivision (a) shall continue to be deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund and allocated to each city, county, and city and county as otherwise provided by law.

(c) In enacting paragraphs (1) and (4) of subdivision (a), the Legislature declares that paragraphs (1) and (4) of subdivision (a), shall not be construed to obligate the State of California to make any payment to a city, city and county, or county from the Motor Vehicle License Fee Account in the Transportation Tax Fund in any amount or pursuant to any particular allocation formula, or to make any other payment to a city, city and county, or county, including, but not limited to, any payment in satisfaction of any debt or liability incurred or so guaranteed if the State of California had not so bound itself prior to the enactment of this section.

SEC. 8. Section 260 of the Vehicle Code is amended to read:

260. (a) A “commercial vehicle” is a *motor* vehicle, ~~including, but not limited to, commercial trailers and semitrailers,~~ of a type required to be registered under this code used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.

(b) Passenger vehicles which are not used for the transportation of persons for hire, compensation, or profit and housecars are not commercial vehicles. This subdivision shall not apply to Chapter 4 (commencing with Section 6700) of Division 3.

(c) Any vanpool vehicle is not a commercial vehicle.

1 (d) The definition of a commercial vehicle in this
2 section does not apply to Chapter 7 (commencing with
3 Section 15200) of Division 6.

4 SEC. 9. Section 288 is added to the Vehicle Code, to
5 read:

6 288. “Declared combined gross *weight*” equals the
7 total unladen weight of the combination of vehicles plus
8 the heaviest load that ~~may~~ *will* be transported by that
9 combination of vehicles.

10 SEC. 10. Section 289 is added to the Vehicle Code, to
11 read:

12 289. “Declared gross vehicle weight” means weight
13 that equals the total unladen weight of the vehicle plus
14 the heaviest load that ~~may~~ *will* be transported on the
15 vehicle.

16 SEC. 11. Section 390 of the Vehicle Code is amended
17 and renumbered to read:

18 350. (a) “Gross vehicle weight rating” (GVWR)
19 means the weight specified by the manufacturer as the
20 loaded weight of a single vehicle.

21 (b) Gross combination weight rating (GCWR) means
22 the weight specified by the manufacturer as the loaded
23 weight of a combination or articulated vehicle. In the
24 absence of a weight specified by the manufacturer,
25 GCWR shall be determined by adding the GVWR of the
26 power unit and the total unladen weight of the towed
27 units and any load thereon.

28 SEC. 12. Section 468 is added to the Vehicle Code, to
29 read:

30 468. The *department shall commence the*
31 “permanent trailer identification plate program,” ~~is—a~~
32 ~~program that the director shall commence on January 1,~~
33 ~~2001 or after December 31, 2001,~~ and may designate the
34 method, consistent with this code, to be used by trailers,
35 as defined in Section 5014.1, to receive an assigned
36 permanent trailer identification plate for all trailers,
37 except for trailer coaches and park trailers as described
38 in subdivision (b) of Section 18010 of the Health and
39 Safety Code, for identification purposes. An auxiliary
40 dolly *or tow dolly* may be assigned a permanent trailer

1 identification plate. The plate shall be in a size and design
2 as determined by the department. ~~The permanent trailer~~
3 ~~identification plate shall not expire.~~

4 SEC. 13. Section 550 of the Vehicle Code is amended
5 to read:

6 550. A “semitrailer” is a vehicle, ~~which may include,~~
7 ~~but is not limited to, a commercial vehicle,~~ designed for
8 carrying persons or property, used in conjunction with a
9 motor vehicle, and so constructed that some part of its
10 weight and that of its load rests upon, or is carried by,
11 another vehicle.

12 SEC. 14. Section 630 of the Vehicle Code is amended
13 to read:

14 630. A “trailer” is a vehicle, ~~which may include, but is~~
15 ~~not limited to, a commercial vehicle,~~ designed for
16 carrying persons or property on its own structure and for
17 being drawn by a motor vehicle and so constructed that
18 no part of its weight rests upon any other vehicle. As used
19 in Division 15 (commencing with Section 35000),
20 “trailer” includes a semitrailer when used in conjunction
21 with an auxiliary dolly, if the auxiliary dolly is of a type
22 constructed to replace the function of the drawbar and
23 the front axle or axles of a trailer.

24 SEC. 15. Section 4000 of the Vehicle Code is amended
25 to read:

26 4000. (a) (1) No person shall drive, move, or leave
27 standing upon a highway, or in an offstreet public parking
28 facility, any motor vehicle, trailer, semitrailer, pole or
29 pipe dolly, or logging dolly, unless it is registered and the
30 appropriate fees have been paid under this code *or*
31 *registered under the permanent trailer identification*
32 *program*, except that an off-highway motor vehicle which
33 displays an identification plate or device issued by the
34 department pursuant to Section 38010 may be driven,
35 moved, or left standing in an offstreet public parking
36 facility without being registered or paying registration
37 fees.

38 (2) For purposes of this subdivision, “offstreet public
39 parking facility” means either of the following:

40 (A) Any publicly owned parking facility.

1 (B) Any privately owned parking facility for which no
2 fee for the privilege to park is charged and which is held
3 open for the common public use of retail customers.

4 (3) This subdivision does not apply to any motor
5 vehicle stored in a privately owned offstreet parking
6 facility by, or with the express permission of, the owner
7 of the privately owned offstreet parking facility.

8 (b) No person shall drive, move, or leave standing
9 upon a highway any motor vehicle, as defined in Chapter
10 2 (commencing with Section 39010) of Part 1 of Division
11 26 of the Health and Safety Code, which has been
12 registered in violation of Part 5 (commencing with
13 Section 43000) of that Division 26.

14 (c) Subdivisions (a) and (b) do not apply to
15 off-highway motor vehicles operated pursuant to Sections
16 38025 and 38026.5.

17 (d) This section does not apply, following payment of
18 fees due for registration, during the time that registration
19 and transfer is being withheld by the department
20 pending the investigation of any use tax due under the
21 Revenue and Taxation Code.

22 (e) Subdivision (a) does not apply to a vehicle that is
23 towed by a tow truck on the order of a sheriff, marshal,
24 or other official acting pursuant to a court order or on the
25 order of a peace officer acting pursuant to this code.

26 (f) Subdivision (a) applies to a vehicle that is towed
27 from a highway or offstreet parking facility under the
28 direction of a highway service organization when that
29 organization is providing emergency roadside assistance
30 to that vehicle. However, the operator of a tow truck
31 providing that assistance to that vehicle is not responsible
32 for the violation of subdivision (a) with respect to that
33 vehicle. The owner of an unregistered vehicle that is
34 disabled and located on private property, shall obtain a
35 permit from the department pursuant to Section 4003
36 prior to having the vehicle towed on the highway.

37 (g) For purposes of this section, possession of a
38 California driver's license by the registered owner of a
39 vehicle shall give rise to a rebuttable presumption that
40 the owner is a resident of California.

SEC. 16. Section 4000.6 is added to the Vehicle Code, to read:

4000.6. Any commercial motor vehicle, singly or in combination, that operates with a declared gross vehicle weight that exceeds 10,000 pounds shall be ~~required to register~~ *registered* pursuant to Section 9400.1.

(a) ~~A commercial motor vehicle operated in combination with a semitrailer, trailer, or any combination thereof, shall declare the gross vehicle weight of all units of the combination when applying for registration with the department.~~ *person submitting an application for registration of a commercial motor vehicle operated in combination with a semitrailer, trailer, or any combination thereof, shall include the declared combined gross weight of all units when applying for registration with the department.*

(b) This section does not apply to pickups nor to any commercial motor vehicle or combination; that does not exceed 10,000 pounds gross vehicle weight.

(c) Any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, having reason to believe that a motor vehicle, singly or in combination, is being operated in excess of its registered declared gross vehicle weight, may require the driver to stop and submit to an inspection or weighing of the vehicle or vehicles and an inspection of registration documents.

SEC. 17. Section 4004 of the Vehicle Code is amended to read:

4004. (a) (1) Commercial motor vehicles meeting the registration requirements of a foreign jurisdiction, and subject to registration but not entitled to exemption from registration or licensing under any of the provisions of this code or any agreements, arrangements, or declarations made under Article 3 (commencing with Section 8000) of Chapter 4, may, as an alternate to ~~such~~ registration, secure a temporary registration to operate in this state for a period of not to exceed 90 days, or a trip permit to operate in this state for a period of four consecutive days.

1 (2) Each trip permit shall authorize the operation of
2 a single commercial motor vehicle for a period of not
3 more than four consecutive days, commencing with the
4 day of first use and three consecutive days thereafter.
5 Every permit shall identify, as the department may
6 require, the commercial motor vehicle for which it is
7 issued. Each trip permit shall be completed prior to
8 operation of the commercial motor vehicle on any
9 highway in this state and shall be carried in the
10 commercial motor vehicle to which it applies and shall be
11 readily available for inspection by a peace officer. Each
12 permit shall be valid at the time of inspection by a peace
13 officer only if it has been completed as required by the
14 department and has been placed in the appropriate
15 receptacle as required by this section. It is unlawful for
16 any person to fail to comply with the provisions of this
17 section.

18 (b) The privilege of securing and using a trip permit
19 or a temporary registration not to exceed 90 days shall not
20 extend to the following:

21 (1) Any vehicle which is based within this state and
22 which is operated by a person having an established place
23 of business within this state. For purposes of this
24 paragraph, a commercial motor vehicle shall be
25 considered to be based in this state if it is primarily
26 operated or dispatched from or principally garaged or
27 serviced or maintained at a site with an address within
28 this state.

29 (2) Vehicles registered in any jurisdiction with which
30 the State of California does not have vehicle licensing
31 reciprocity, unless the Reciprocity Commission extends
32 ~~such~~ the privilege, by rule, after hearing.

33 (c) The temporary registration or trip permit
34 authorized pursuant to this section shall include the diesel
35 fuel permit number issued by the State Board of
36 Equalization. Any temporary registration or trip permit
37 for a diesel power unit which does not include this
38 information shall be invalid and shall subject the operator
39 to citation for violation of subdivision (a) of Section 4000.
40 All fees for registration of commercial motor vehicles

1 shall be due upon the issuance of a citation, unless the
2 person in whose name the permit was issued can produce
3 proof of issuance of a California fuel tax permit prior to
4 the date of the violation.

5 *(d) Any trailer or semitrailer identified in paragraph*
6 *(1) of subdivision (a) of Section 5014.1 that enters the*
7 *state without a currently valid license plate issued by*
8 *California or another jurisdiction shall be immediately*
9 *subject to full registration fees as specified in subdivision*
10 *(f) of Section 5014.*

11 SEC. 18. Section 4150.1 of the Vehicle Code is
12 amended to read:

13 4150.1. (a) (1) In addition to the requirements of
14 Section 4150, application for the original registration of a
15 commercial motor vehicle specified in Section 34500 shall
16 include a declaration, made by the owner to the
17 department upon the appropriate form furnished by it,
18 that the owner is aware of the applicable motor carrier
19 safety regulations adopted by the Department of the
20 California Highway Patrol pursuant to Section 34501.

21 ~~(2) A fleet owner~~ *The registered owner, lessee, or*
22 *designee* may make this declaration on a single form for
23 all commercial motor vehicles registered in the ~~fleet~~
24 *registered owner's name.*

25 (b) (1) On a form provided by the department, the
26 registered owner of record, *lessee*, or the owner's
27 designee shall certify and report the declared gross
28 vehicle weight of any commercial motor vehicle, singly
29 or in combination, in excess of 10,000 pounds declared
30 gross vehicle weight.

31 (2) A single form may be used or referenced for
32 multiple vehicles of like declared gross vehicle weight.

33 SEC. 19. Section 4458 of the Vehicle Code is amended
34 to read:

35 4458. If both license plates or a permanent trailer
36 identification plate, ~~or both~~, are lost by or stolen from the
37 registered owner, the registered owner shall immediately
38 notify a law enforcement agency, and shall immediately
39 apply to the department for new plates in lieu of the
40 plates stolen or lost. The department shall in every proper

1 case, except in the case of plates which are exempt from
2 fees, cause to be issued applicable license plates of a
3 different number and assign the registration number to
4 the vehicle for which the plates are issued.

5 SEC. 20. Section 5000 of the Vehicle Code is amended
6 to read:

7 5000. (a) ~~License~~ *Identification* plates issued for
8 trailers, semitrailers, motor-driven cycles, and pole and
9 pipe dollies, and such vehicles as are exempt from the
10 payment of registration fees under this code shall display
11 suitable distinguishing marks or symbols, and the
12 registration numbers assigned to each class of vehicles
13 shall run in a separate numerical series, except that
14 registration numbers assigned to vehicles exempt from
15 the payment of registration fees may run in several
16 separate numerical series.

17 (b) Vehicles subject to Sections 9400 and 9400.1 shall
18 be issued license plates with suitable distinguishing marks
19 or symbols distinguishing them from other license plates
20 issued.

21 (c) Vehicles subject to Section 5014.1 shall be issued
22 permanent identification plates with suitable
23 distinguishing marks or symbols that distinguish them
24 from other license plates.

25 SEC. 21. *Section 5011 of the Vehicle Code is amended*
26 *to read:*

27 5011. (a) Every piece of special construction
28 equipment, special mobile equipment, cemetery
29 equipment, every tow dolly, *trailer, semitrailer,* and
30 every logging vehicle shall display an identification plate
31 issued pursuant to Section 5014.

32 (b) Effective January 1, 1986, all existing identification
33 plates are canceled. Owners of vehicles specified in
34 subdivision (a) shall apply for identification plates
35 pursuant to Section 5014 or 5016.5.

36 SEC. 21.5. Section 5014 of the Vehicle Code is
37 amended to read:

38 5014. An application by a person other than a
39 manufacturer or dealer for an identification plate for
40 special construction equipment, cemetery equipment,

1 special mobile equipment, logging vehicle, cotton trailer,
2 or farm trailer as specified in Section 36109, a vehicle that
3 is farmer-owned and used as provided in subdivision (b)
4 of Section 36101, a motor vehicle which is farmer-owned
5 and operated and used as provided in subdivision (a) of
6 Section 36101, an automatic bale wagon operated as
7 specified in subdivision (a) or (b) of Section 36102, or a
8 farm trailer that is owned, rented, or leased by a farmer
9 and is operated and used as provided in subdivision (b)
10 of Section 36010, shall include the following:

11 (a) The true, full name and the driver's license or
12 identification card number, if any, of the owner.

13 (b) A statement by the owner of the use or uses which
14 he or she intends to make of the equipment.

15 (c) A description of the vehicle, including any
16 distinctive marks or features.

17 (d) A photograph of the vehicle. Only one photograph
18 of one piece of equipment shall be required to be
19 attached to the application when identification plates are
20 to be obtained for more than one piece of equipment,
21 each of which is of the same identical type.

22 (e) Other information as may reasonably be required
23 by the department to determine whether the applicant
24 is entitled to be issued an identification plate.

25 (f) A service fee of seven dollars (\$7) for each vehicle.
26 The plates shall be renewed between January 1 and
27 February 4 every five calendar years, commencing in
28 1986. Any part of the year of the first application
29 constitutes a calendar year. An application for renewal of
30 an identification plate shall contain a space for the
31 applicant's driver's license or identification card number,
32 and the applicant shall furnish that number, if any, in the
33 space provided.

34 SEC. 22. Section 5014.1 is added to the Vehicle Code,
35 to read:

36 5014.1. (a) Upon the implementation of the
37 permanent trailer identification plate program, the
38 following applies:

~~(1) The following trailers shall be assigned a trailer identification plate by the department in accordance with this section:~~

(1) All trailers will receive an identification certificate upon conversion to the permanent trailer identification program. The following trailers, except as provided in Section 5101, may be assigned a trailer identification plate by the department in accordance with this section or an election may be made to keep the current plate on the expiration date of registration:

(A) Logging dolly.

(B) Pole or pipe dolly.

(C) Semitrailer.

(D) Trailer.

(E) Trailer bus.

(2) An auxiliary dolly *or tow dolly* may be assigned a permanent trailer identification plate.

(3) Trailer coaches and park trailers, as described in subdivision (b) of Section 18010 of the Health and Safety Code, are exempted from the permanent trailer identification plate program.

(b) The permanent trailer identification plate shall be in a size and design as determined by the department.

(c) The permanent trailer identification plate shall not expire.

(d) Upon sale or transfer of the commercial trailer or semitrailer, the assigned permanent trailer identification plate remains with the ~~commercial~~ trailer or semitrailer for the life of the vehicle *except as provided in Section 5101*. Upon transfer of ownership, ~~a new ownership certificate and~~ a new identification certificate shall be issued.

(e) A service fee, sufficient to pay at least the entire actual costs to the department, not to exceed *twenty dollars* (~~\$~~) (\$20) shall be assessed by the department upon assigning a permanent trailer identification plate.

~~(f) Fees for duplicate~~ *A fee of seven dollars (\$7) for* substitute permanent trailer identification plates or certificates shall be charged.

(g) ~~An~~ All outstanding ~~commercial~~ trailer and semitrailer license plates and registration indicia that ~~are~~ *were issued* under this code on December 31, ~~2000~~ 2001, shall be considered valid.

(h) ~~All original trailers that register~~ *Every trailer which is submitted for original registration* in this state will be issued a permanent trailer identification plate and identification certificate.

(i) *A service fee of ten dollars (\$10) shall be charged for each vehicle renewing its trailer plate or permanent trailer identification plate. These plates shall be renewed on the anniversary date of either the trailer plate expiration date or the date of issuance of the original permanent trailer identification plate, every five calendar years commencing in 2007.*

SEC. 23. Section 5015 of the Vehicle Code is amended to read:

5015. (a) The application for an identification plate for special construction equipment, special mobile equipment, cemetery equipment, and any logging vehicle shall be made before that piece of equipment is moved over a highway.

(b) The application for an identification plate for a cotton trailer or a farm trailer as specified in Section 36109, a vehicle that is farmer-owned and used as provided in subdivision (b) of Section 36101, a motor vehicle that is farmer-owned and operated and used as provided in subdivision (a) of Section 36101, or an automatic bale wagon operated as specified in subdivision (a) or (b) of Section 36102 shall be made before any such piece of equipment is moved over a highway.

(c) The application for a permanent trailer identification plate, as described in Section 5014.1, shall be made prior to the equipment or vehicle described in subdivision (a) being moved, towed, or left standing on any highway or in any offstreet public parking facility.

SEC. 24. Section 5016 of the Vehicle Code is amended to read:

5016. Upon proper application and payment of the fees specified in Section 5014.1 or 9261, the department

1 shall issue an identification plate and an identification
2 card for the piece of equipment, vehicle, trailer,
3 semitrailer, or implement of husbandry for which
4 application is made.

5 SEC. 25. Section 5017 of the Vehicle Code is amended
6 to read:

7 5017. (a) Each identification plate issued under
8 Section 5016 shall bear a distinctive number to identify
9 the equipment, logging vehicle, *trailer, semitrailer,* or
10 implement of husbandry for which it is issued. The owner,
11 upon being issued a plate, shall attach it to the equipment,
12 logging vehicle, or implement of husbandry for which it
13 is issued and shall carry the identification ~~card~~ *certificate*
14 issued by the department as provided by Section 4454. It
15 shall be unlawful for any person to attach or use the plate
16 upon any other equipment, logging vehicle, *trailer,*
17 *semitrailer,* or implement of husbandry. If the
18 equipment, logging vehicle, or implement of husbandry
19 is destroyed or the ownership thereof transferred to
20 another person, the person to whom the plate was issued
21 shall within 10 days notify the department, on a form
22 approved by the department, that the equipment,
23 logging vehicle, *trailer, semitrailer,* or implement of
24 husbandry has been destroyed or the ownership thereof
25 transferred to another person.

26 (b) Upon the implementation of the permanent
27 trailer identification plate program, all trailers ~~requiring~~
28 ~~license plates,~~ except those exempted in paragraph (3) of
29 subdivision (a) of Section 5014.1 ~~shall~~ *may* be assigned a
30 single permanent plate for identification purposes. Upon
31 issuance of the plate, it shall be attached to the vehicle
32 pursuant to Sections 5200 and 5201.

33 (c) An identification certificate shall be issued for each
34 trailer or semitrailer assigned an identification plate. The
35 identification certificate shall contain upon its face, the
36 date issued, the name and residence or business address
37 of the ~~owner~~ *registered owner or lessee* and of the legal
38 owner, if any, the ~~registration~~ *vehicle identification*
39 number assigned to the trailer or semitrailer, and a
40 description of the trailer or semitrailer as complete as that

1 required in the application for registration of the trailer
2 or semitrailer. When an identification certificate has been
3 issued to a trailer or semitrailer, the owner or operator
4 shall make that certificate available for inspection by a
5 peace officer: *upon request.*

6 *(d) The application for transfer of ownership of a*
7 *vehicle with a trailer plate or permanent trailer*
8 *identification plate shall be made within 10 days of sale of*
9 *the vehicle. A service fee of seven dollars (\$7) shall be*
10 *charged according to subdivision (c) of Section 9261. The*
11 *permanent trailer identification certificate is not a*
12 *certificate of ownership as described in Section 38076.*

13 SEC. 26. Section 5101 of the Vehicle Code is amended
14 to read:

15 5101. Any person who is the registered owner or
16 lessee of a passenger vehicle, commercial ~~vehicle~~ motor
17 vehicle, motorcycle, trailer, ~~or commercial trailer~~ or
18 semitrailer registered or certificated with the
19 department, or who makes application for an original
20 registration or renewal registration of that vehicle, may,
21 upon payment of the fee prescribed in Section 5106, apply
22 to the department for environmental license plates, in
23 the manner prescribed in Section 5105, which plates shall
24 be affixed to the passenger vehicle, commercial ~~vehicle~~
25 motor vehicle, motorcycle, trailer, ~~or commercial trailer~~
26 or semitrailer for which registration is sought in lieu of
27 the regular license plates.

28 SEC. 27. Section 5103 of the Vehicle Code is amended
29 to read:

30 5103. “Environmental license plates,” as used in this
31 article, means license plates or permanent trailer
32 identification plates that have displayed upon them the
33 registration number assigned to the passenger vehicle,
34 commercial ~~vehicle~~ motor vehicle, motorcycle, trailer, ~~or~~
35 ~~commercial trailer~~ or semitrailer for which such
36 registration number was issued in a combination of letters
37 or numbers, or both, requested by the owner or lessee of
38 the vehicle.

39 SEC. 28. Section 5106 of the Vehicle Code is amended
40 to read:

1 5106. (a) Except as provided in Section 5101.7, in
2 addition to the regular registration fee or a permanent
3 trailer identification fee, the applicant shall be charged a
4 fee of forty dollars (\$40).

5 (b) In addition to the regular renewal fee or a
6 permanent trailer identification fee for the vehicle to
7 which the plates are assigned, the applicant for a renewal
8 of the plates shall be charged an additional fee of
9 twenty-five dollars (\$25). An applicant with a permanent
10 trailer identification plate shall be charged an annual fee
11 of twenty-five dollars (\$25). However, applicants for
12 renewal of prisoner-of-war special license plates issued
13 under Section 5101.5 shall not be charged the additional
14 renewal fee under this subdivision.

15 (c) When payment of renewal fees is not required as
16 specified in Section 4000, the holder of any environmental
17 license plate may retain the plate upon payment of an
18 annual fee of twenty-five dollars (\$25). The fee shall be
19 due at the expiration of the registration year of the
20 vehicle to which the environmental license plate was last
21 assigned. However, applicants for retention of
22 prisoner-of-war special license plates issued under
23 Section 5101.5 shall not be charged the additional
24 retention fee under this subdivision.

25 (d) Notwithstanding Section 9265, the applicant for a
26 duplicate environmental license plate or a duplicate,
27 replacement commemorative 1984 Olympic
28 reflectorized license plate shall be charged a fee of thirty
29 dollars (\$30).

30 SEC. 29. Section 5108 of the Vehicle Code is amended
31 to read:

32 5108. Whenever any person who has been issued
33 environmental license plates applies to the department
34 for transfer of the plates to another passenger vehicle,
35 commercial vehicle, trailer, ~~commercial—trailer~~ or
36 semitrailer a transfer fee of twenty dollars (\$20) shall be
37 charged in addition to all other appropriate fees.

38 SEC. 30. Section 5204 of the Vehicle Code is amended
39 to read:

1 5204. (a) Except as provided by subdivisions (b) and
 2 (c), a tab shall indicate the year of expiration and a tab
 3 shall indicate the month of expiration. Current month
 4 and year tabs shall be attached to the rear license plate
 5 assigned to the vehicle for the last preceding registration
 6 year in which license plates were issued, and, when so
 7 attached, the license plate with the tabs shall, for the
 8 purposes of this code, be deemed to be the license plate,
 9 except that truck tractors, and commercial motor
 10 vehicles having a declared gross vehicle weight of 10,001
 11 pounds or more, shall display the current month and year
 12 tabs upon the front license plate assigned to the truck
 13 tractor or commercial motor vehicle. Vehicles that fail to
 14 display current month and year tabs or display expired
 15 tabs are in violation of this section.

16 (b) The requirement of subdivision (a) that the tabs
 17 indicate the year and the month of expiration does not
 18 apply to fleet vehicles subject to Article 9.5 (commencing
 19 with Section 5300) *or vehicles defined in Section 468*.

20 (c) Subdivision (a) does not apply when proper
 21 application for registration has been made pursuant to
 22 Section 4602 and the new indicia of current registration
 23 have not been received from the department.

24 (d) This section is enforceable against any motor
 25 vehicle that is driven, moved, or left standing upon a
 26 highway, or in an offstreet public parking facility, in the
 27 same manner as provided in subdivision (a) of Section
 28 4000.

29 SEC. 31. Section 5301 of the Vehicle Code is amended
 30 to read:

31 5301. (a) Notwithstanding any other provision of this
 32 code and Part 5 (commencing with Section 10701) of
 33 Division 2 of the Revenue and Taxation Code, the
 34 registered owner or lessee of a fleet of vehicles consisting
 35 of commercial motor vehicles base plated in the state
 36 under Article 4 (commencing with Section 8050) of
 37 Chapter 4, or passenger automobiles may, upon payment
 38 of appropriate fees, apply to the department for
 39 permanent license plates or decals and registration cards.

1 (b) Fleets shall consist of at least ~~100~~ 50 motor vehicles
2 to qualify for this program. However, the department
3 may provide for permanent fleet registration through an
4 association providing a combination of fleets of motor
5 vehicles of ~~500~~ 250 or more vehicles with no individual
6 fleet of fewer than ~~50~~ 25 motor vehicles. An association
7 submitting an application of participation in the program
8 shall provide within the overall application a listing
9 identifying the *registered* owner of each fleet and the
10 motor vehicles within each fleet. Identification of the
11 motor vehicles as provided in this article applies to the
12 ownership of the motor vehicles and not the association
13 submitting the application.

14 (c) With the concurrence of both the department and
15 the participant, the changes made in this section by the
16 enactment of the Commercial Vehicle Registration Act of
17 ~~2000~~ 2001 shall not affect those participants who were
18 lawfully participating in the permanent fleet registration
19 program on December 31, ~~2000~~ 2001. *Any fleet that*
20 *qualifies for permanent fleet registration as of December*
21 *31, 2001, will continue to count trailers to qualify as a fleet*
22 *until January 1, 2007.* However, five years following the
23 implementation of the permanent trailer identification
24 program, all participants in the permanent fleet
25 registration program shall meet the requirements of this
26 section in order to continue enrollment in the program
27 described in this section.

28 SEC. 32. Section 5302 of the Vehicle Code is amended
29 to read:

30 5302. (a) Motor vehicles registered in any state other
31 than California shall not be permitted to participate in
32 this program.

33 (b) Section 4604 does not apply to vehicles registered
34 under this article.

35 (c) The department may conduct an audit of the
36 records of each fleet owner or lessee of the vehicle fleets
37 electing to participate in the program. The department
38 shall be fully reimbursed by the fleet owner or lessee for
39 the costs of conducting the audits.

(d) Vehicles registered under this article shall display in a conspicuous place on both the right and the left side of each motor vehicle the name, trademark, or logo of the company. The display of the name, trademark, or logo shall be in letters in sharp contrast to the background and shall be of a size, shape, and color that is readily legible during daylight hours from a distance of 50 feet.

(e) A motor vehicle under 6,000 pounds unladen weight that is owned or leased by a public utility may be registered under this article by displaying the permanent fleet registration number on both the right and left side or on the front and rear of the motor vehicle. The display shall be in sharp contrast to the background and shall be of a size, shape, and color that is readily legible during daylight hours from a distance of 50 feet.

SEC. 33. Section 5305 of the Vehicle Code is amended to read:

5305. In addition to any other fees due for motor vehicles registered pursuant to this article, the department may charge and collect a service fee of one dollar (\$1) for each fleet motor vehicle at the time the initial application is submitted to the department and at the time of registration renewal of each fleet vehicle.

SEC. 34. Section 5902 of the Vehicle Code is amended to read:

(a) Whenever any person has received as transferee a properly endorsed certificate of ownership, that person shall, within 10 days thereafter, forward the certificate with the proper transfer fee to the department and thereby make application for a transfer of registration. The certificate of ownership shall contain a space for the applicant's driver's license or identification card number, and the applicant shall furnish that number, if any, in the space provided.

(b) An application for a transfer of registration of a commercial motor vehicle specified in Section 34500 shall include a declaration, made by the owner to the department upon the appropriate form furnished by it, that the owner is aware of the applicable motor carrier safety regulations adopted by the Department of the

1 California Highway Patrol pursuant to Section 34501. A
2 ~~fleet owner registered owner, lessee, or designee~~ may
3 make this declaration on a single form for all commercial
4 motor vehicles registered in the ~~fleet registered~~ owner's
5 name.

6 (c) An application for a transfer of a commercial motor
7 vehicle that exceeds 10,000 pounds declared gross vehicle
8 weight, as specified in Section 34500, shall include the
9 notification, made by the new registered owner, or that
10 owner's designee, of the declared gross vehicle weight of
11 the commercial motor vehicle singly or in combination.
12 ~~An owner, A registered owner, lessee, or that owner's~~
13 ~~designee, may make this certification on a single form~~
14 ~~provided by the department for all commercial motor~~
15 ~~vehicles registered in the owner's name.~~

16 SEC. 35. *Section 6851 of the Vehicle Code is repealed.*

17 ~~6851. (a) Every owner of utility trailers engaged in~~
18 ~~the business of leasing or renting such trailers for use in~~
19 ~~this State shall license and pay all applicable fees on the~~
20 ~~number of utility trailers equal to the average number of~~
21 ~~such trailers operated in or through the State. The~~
22 ~~average number shall be the average for one month of the~~
23 ~~total number of such trailers operated in or through the~~
24 ~~State during a calendar year, or as otherwise determined~~
25 ~~by the department.~~

26 ~~(b) Verifiable data as to this average number of utility~~
27 ~~trailers operating in and through this State shall be filed~~
28 ~~in certified form with the department. The owner shall~~
29 ~~make the records upon which its certified report is based~~
30 ~~available to the department upon request at its~~
31 ~~designated office for audit of computation and payments~~
32 ~~and shall preserve such records for a period of four years.~~

33 ~~(c) All other utility trailers when properly identified~~
34 ~~and licensed in any foreign jurisdiction, and belonging to~~
35 ~~an owner who has complied with the requirements of this~~
36 ~~section shall be permitted to operate in this State.~~

37 ~~(d) Following the right to be heard, the owner may be~~
38 ~~denied the right to any further benefits under this section~~
39 ~~if the department has determined that more trailers~~
40 ~~should have been registered.~~

~~(c) Owners, as used here, includes association or group of owners, provided all trailers operated by said association or group are easily and clearly identified as being operated by them.~~

~~SEC. 35.5. Section 6851.5 of the Vehicle Code is repealed.~~

~~6851.5. (a) Notwithstanding any other provision of this code and of Part 5 (commencing with Section 10701) of Division 2 of the Revenue and Taxation Code, any owner of a fleet of 500 or more utility trailers may apply for and be issued license plates and registration cards that are valid indefinitely. An applicant shall satisfy all of the following requirements:~~

~~(1) All fees applicable to trailers comprising the fleet, as calculated pursuant to Section 6851, shall be paid on a calendar year basis.~~

~~(2) Application for license plates and registration cards and payment of all applicable fees shall be made to the department prior to the calendar year in which the trailers comprising the fleet are to be leased or rented.~~

~~(3) Application shall be made in the form prescribed by the department and shall be only for such utility trailers in a fleet having an unladen weight of 2,000 pounds or less.~~

~~(4) The application shall specify the average number of utility trailers operated in or through the state for the 12 months immediately preceding the year for which the application is made, and the assessed value of such trailers.~~

~~(b) Fees for utility trailers licensed pursuant to this section shall be based on the information filed with the department pursuant to subdivision (b) of Section 6851.~~

~~(c) Upon acceptance and approval of an application made pursuant to this section, the department shall issue to the applicant special license plates which have on each such plate (1) a general distinguishing number unique to the fleet of utility trailers operated by the applicant and (2) a number or letter for each utility trailer of the fleet. All license plates issued pursuant to this section shall be valid indefinitely. All such plates shall have a symbol that~~

1 ~~will distinguish them from all other types of license plates~~
2 ~~issued pursuant to this code.~~

3 ~~(d) Upon issuing the special series of license plates, the~~
4 ~~department shall also issue to the applicant a registration~~
5 ~~card containing the applicant's name and address, the~~
6 ~~general distinguishing number assigned to the applicant's~~
7 ~~license plates, and any other information which the~~
8 ~~department may require in order to administer this~~
9 ~~section. All registration cards issued pursuant to this~~
10 ~~section shall be valid indefinitely.~~

11 ~~(e) If the number of utility trailers expected to be~~
12 ~~leased or rented by the fleet owner during the following~~
13 ~~registration year will differ from the current year, the~~
14 ~~fleet owner shall, prior to the commencement of such~~
15 ~~year, either surrender to the department a number of~~
16 ~~license plates issued pursuant to this section that is equal~~
17 ~~to any decrease in the number of utility trailers or request~~
18 ~~issuance of additional license plates, and pay the~~
19 ~~appropriate amount of fees that is equal to any change in~~
20 ~~the number of utility trailers.~~

21 ~~(f) The director may adopt rules and regulations~~
22 ~~concerning the issuance, use, and renewal of license~~
23 ~~plates and the payment of fees pursuant to this section.~~

24 ~~SEC. 35.7. Section 8000 of the Vehicle Code is~~
25 ~~amended to read:~~

26 ~~8000. The Reciprocity Commission may enter into~~
27 ~~agreements with foreign jurisdictions that provide for the~~
28 ~~exemption of fees for commercial vehicles if the foreign~~
29 ~~jurisdictions provide equivalent exemptions to vehicles~~
30 ~~registered in this state. The agreements shall be~~
31 ~~applicable to vehicles that are properly licensed and~~
32 ~~registered in the foreign jurisdictions. The commission~~
33 ~~may also enter into agreements that provide for the~~
34 ~~exemption of regulatory fees which are, or may be~~
35 ~~imposed, by the Public Utilities Code or the department.~~

36 ~~SEC. 36. Section 8054 of the Vehicle Code is amended~~
37 ~~to read:~~

38 ~~8054. (1)-(a) Upon the application for transfer of~~
39 ~~ownership of a fleet of vehicles apportionately registered~~
40 ~~pursuant to this article, the department shall permit~~

1 registration in the new owners name without reassessing
2 the registration and vehicle license fees, if the application
3 of the new ownership is for the same fleet interstate
4 operation as the previous owner.

5 ~~(2) The new owner, or the owner's designee, shall~~

6 *(b) The new owner, lessee, or their designee, shall*
7 certify the declared gross vehicle weight of the vehicle or
8 vehicles on a single form for all commercial motor
9 vehicles registered in the fleet owner's *or lessee's* name.
10 The department shall reassess the weight fees if the
11 declared gross vehicle weight is increased. The weight
12 fees ~~may~~ *will* be assessed at a prorated rate.

13 SEC. 37. Section 9250.7 of the Vehicle Code is
14 amended to read:

15 9250.7. (a) (1) A service authority established under
16 Section 22710 may impose a service fee of one dollar (\$1)
17 on all vehicles, except—~~commercial~~ trailers and
18 semitrailers described in subdivision ~~(d)~~ (a) of Section
19 5014.1, registered to an owner with an address in the
20 county that established the service authority. The fee
21 shall be paid to the department at the time of registration,
22 or renewal of registration, or when renewal becomes
23 delinquent, except on vehicles that are expressly
24 exempted under this code from the payment of
25 registration fees.

26 (2) In addition to the one dollar (\$1) service fee, and
27 upon the implementation of the permanent trailer
28 identification plate program, and as part of the
29 Commercial Vehicle Registration Act of ~~2000~~ 2001, all
30 commercial motor vehicles registered to an owner with
31 an address in the county that established a service
32 authority under this section, shall pay an additional
33 service fee of two dollars (\$2).

34 (b) The department, after deducting its
35 administrative costs, shall transmit, at least quarterly, the
36 net amount collected pursuant to subdivision (a) to the
37 Treasurer for deposit in the Abandoned Vehicle Trust
38 Fund, which is hereby created. All money in the fund is
39 continuously appropriated to the Controller for
40 allocation to a service authority that has an approved

1 abandoned vehicle abatement program pursuant to
2 Section 22710, and for payment of the administrative costs
3 of the Controller. After deduction of its administrative
4 costs, the Controller shall allocate the money in the
5 Abandoned Vehicle Trust Fund to each service authority
6 in proportion to the revenues received from the fee
7 imposed by that authority pursuant to subdivision (a). If
8 any funds received by a service authority pursuant to this
9 section are not expended to abate abandoned vehicles
10 pursuant to an approved abandoned vehicle abatement
11 program within 90 days of the close of the fiscal year in
12 which the funds were received and the amount of those
13 funds exceeds the amount expended by the service
14 authority for the abatement of abandoned vehicles in the
15 previous fiscal year, a fee imposed pursuant to subdivision
16 (a) shall be suspended for one year, commencing the
17 following January 1.

18 (c) The fee imposed by a service authority shall
19 remain in effect only for a period of 10 years from the date
20 that the actual collection of the fee commenced.

21 SEC. 38. Section 9250.8 of the Vehicle Code is
22 amended to read:

23 9250.8. (a) In addition to any other fees specified in
24 this code and the Revenue and Taxation Code, a fee of
25 one dollar (\$1) shall be paid at the time of registration or
26 renewal of registration of every vehicle, except
27 ~~commercial~~ trailers and semitrailers described in
28 subdivision ~~(d)~~ (a) of Section 5014.1, subject to
29 registration under this code, except those vehicles that
30 are expressly exempted under this code from the
31 payment of registration fees.

32 (b) In addition to the one dollar (\$1) fee, upon the
33 implementation of the permanent trailer identification
34 plate program, and as part of the Commercial Vehicle
35 Registration Act of 2000 2001, all commercial motor
36 vehicles shall pay an additional fee of two dollars (\$2).

37 SEC. 39. Section 9250.10 of the Vehicle Code is
38 amended to read:

39 9250.10. (a) (1) In addition to any other fees
40 specified in this code and the Revenue and Taxation

1 Code, any additional fees imposed by a service authority
2 for freeway emergencies pursuant to Section 2555 of the
3 Streets and Highways Code shall be paid to the
4 department at the time of registration or renewal of
5 registration of every vehicle, except ~~commercial~~ trailers
6 and semitrailers described in subdivision ~~(d)~~ (a) of
7 Section 5014.1, subject to registration under this code in
8 the subject counties, except those vehicles that are
9 expressly exempted under this code from the payment of
10 registration fees.

11 (2) In addition to the additional fees imposed for
12 freeway emergencies, and upon the implementation of
13 the permanent trailer identification plate program, and
14 as part of the Commercial Vehicle Registration Act of
15 ~~2000~~ 2001, all commercial motor vehicles registered to an
16 owner with an address in the county that established a
17 service authority under this section, shall pay an
18 additional service fee of two dollars (\$2).

19 (b) After deducting its administrative costs, the
20 department shall distribute the additional fees collected
21 pursuant to subdivision (a) to the authority in the county
22 in which they were collected.

23 SEC. 40. Section 9250.13 of the Vehicle Code is
24 amended to read:

25 9250.13. (a) (1) In addition to any other fees
26 specified in this code and the Revenue and Taxation
27 Code, a fee of one dollar (\$1) shall be paid at the time of
28 registration or renewal of registration of every vehicle,
29 except ~~commercial~~ trailers and semitrailers described in
30 subdivision ~~(d)~~ (a) of Section 5014.1, subject to
31 registration under this code, except those vehicles that
32 are expressly exempted under this code from the
33 payment of registration fees.

34 (2) In addition to the one dollar (\$1) fee, upon the
35 implementation of the permanent trailer identification
36 plate program, and as part of the Commercial Vehicle
37 Registration Act of ~~2000~~ 2001, all commercial motor
38 vehicles shall pay an additional fee of two dollars (\$2).

39 (b) The money realized pursuant to this section shall
40 be available, upon appropriation by the Legislature, for

1 expenditure to offset the costs of increasing the
2 uniformed field strength of the Department of the
3 California Highway Patrol beyond its 1994 staffing level
4 and those costs associated with maintaining this new level
5 of uniformed field strength and carrying out those duties
6 specified in subdivision (a) of Section 830.2 of the Penal
7 Code.

8 SEC. 41. Section 9250.14 of the Vehicle Code is
9 amended to read:

10 9250.14. (a) (1) In addition to any other fees
11 specified in this code and the Revenue and Taxation
12 Code, upon the adoption of a resolution by any county
13 board of supervisors, a fee of one dollar (\$1) shall be paid
14 at the time of registration or renewal of registration of
15 every vehicle, except—~~commercial~~ trailers and
16 semitrailers described in subdivision ~~(d)~~ (a) of Section
17 5014.1, registered to an address within that county except
18 those expressly exempted from payment of registration
19 fees. The fees, after deduction of the administrative costs
20 incurred by the department in carrying out this section,
21 shall be paid quarterly to the Controller.

22 (2) In addition to the one dollar (\$1) service fee, and
23 upon the implementation of the permanent trailer
24 identification plate program, and as part of the
25 Commercial Vehicle Registration Act of ~~2000~~ 2001, all
26 commercial motor vehicles registered to an owner with
27 an address in the county that established a service
28 authority under this section, shall pay an additional
29 service fee of two dollars (\$2).

30 (b) Notwithstanding Section 13340 of the
31 Government Code, the money paid to the Controller is
32 continuously appropriated, without regard to fiscal years,
33 for the administrative costs of the Controller, and for
34 disbursement by the Controller to each county that has
35 adopted a resolution pursuant to subdivision (a), based
36 upon the number of vehicles registered, or whose
37 registration is renewed, to an address within that county.

38 (c) Except as otherwise provided in this subdivision,
39 money allocated to a county pursuant to subdivision (b)
40 shall be expended exclusively to fund programs that

1 enhance the capacity of local police and prosecutors to
2 deter, investigate, and prosecute vehicle theft crimes. In
3 any county with a population of 200,000 or less, the money
4 shall be expended exclusively for those vehicle theft
5 crime programs and for the prosecution of crimes
6 involving driving under the influence of alcohol or drugs
7 in violation of Section 23152 or 23153, or vehicular
8 manslaughter in violation of Section 191.5 or subdivision
9 (c) of Section 192 of the Penal Code, or any combination
10 of those crimes.

11 (d) No money collected pursuant to this section shall
12 be expended to offset a reduction in any other source of
13 funds, nor for any purpose not authorized under this
14 section.

15 (e) Any funds received by a county prior to January 1,
16 2000, pursuant to this section that are not expended to
17 deter, investigate, or prosecute crimes pursuant to
18 subdivision (c) shall be returned to the Controller, for
19 deposit in the Motor Vehicle Account in the State
20 Transportation Fund. Those funds received by a county
21 after January 1, 2000, shall be expended in accordance
22 with this section.

23 (f) Each county that has adopted or adopts a resolution
24 pursuant to subdivision (a) shall submit, on or before the
25 13th day following the end of each quarter, a quarterly
26 expenditure and activity report to the designated
27 statewide Vehicle Theft Investigation and Apprehension
28 Coordinator in the Department of the California
29 Highway Patrol. The coordinator shall compile all county
30 reports and prepare an annual report for dissemination to
31 the Legislature and participating counties.

32 (g) This section shall remain in effect only until
33 January 1, 2005, and as of that date is repealed, unless a
34 later enacted statute, that is enacted on or before January
35 1, 2005, deletes or extends that date.

36 SEC. 42. Section 9250.19 of the Vehicle Code is
37 amended to read:

38 9250.19. (a) (1) In addition to any other fees
39 specified in this code and the Revenue and Taxation
40 Code, upon the adoption of a resolution pursuant to this

1 subdivision by any county board of supervisors, a fee of
2 one dollar (\$1) shall be paid at the time of registration,
3 renewal, or supplemental application for apportioned
4 registration pursuant to Article 4 (commencing with
5 Section 8050) of Chapter 4 of every vehicle, except
6 ~~commercial~~ trailers and semitrailers described in
7 subdivision ~~(d)~~ (a) of Section 5014.1, registered to an
8 address within that county except those expressly
9 exempted from payment of registration fees. The fees,
10 after deduction of the administrative costs incurred by
11 the department in carrying out this section, shall be paid
12 quarterly to the Controller.

13 (2) In addition to the one dollar (\$1) service fee, and
14 upon the implementation of the permanent trailer
15 identification plate program, and as part of the
16 Commercial Vehicle Registration Act of ~~2000~~ 2001, all
17 commercial motor vehicles registered to an owner with
18 an address in the county that established a service
19 authority under this section, shall pay an additional
20 service fee of two dollars (\$2).

21 (3) A resolution adopted pursuant to paragraph (1)
22 shall include findings as to the purpose of, and the need
23 for, imposing the additional registration fee, and shall
24 identify the date after which the fee shall no longer be
25 imposed.

26 (b) Notwithstanding Section 13340 of the
27 Government Code, the money paid to the Controller
28 pursuant to subdivision (a) is continuously appropriated,
29 without regard to fiscal years, for disbursement by the
30 Controller to each county that has adopted a resolution
31 pursuant to subdivision (a), based upon the number of
32 vehicles registered, or whose registration is renewed, to
33 an address within that county, or supplemental
34 application for apportioned registration, and, upon
35 appropriation by the Legislature, for the administrative
36 costs of the Controller incurred under this section.

37 (c) Money allocated to a county pursuant to
38 subdivision (b) shall be expended exclusively to fund
39 programs that enhance the capacity of local law
40 enforcement to provide automated mobile and fixed

1 location fingerprint identification of individuals who may
2 be involved in driving under the influence of alcohol or
3 drugs in violation of Section 23152 or 23153, or vehicular
4 manslaughter in violation of Section 191.5 of the Penal
5 Code or subdivision (c) of Section 192 of the Penal Code,
6 or any combination of those and other vehicle-related
7 crimes, and other crimes committed while operating a
8 motor vehicle.

9 (d) The data from any program funded pursuant to
10 subdivision (c) shall be made available by the local law
11 enforcement agency to any local public agency that is
12 required by law to obtain a criminal history background
13 of persons as a condition of employment with that local
14 public agency. A local law enforcement agency that
15 provides the data may charge a fee to cover its actual costs
16 in providing that data.

17 (e) (1) No money collected pursuant to this section
18 shall be used to offset a reduction in any other source of
19 funds for the purposes authorized under this section.

20 (2) Funds collected pursuant to this section, upon
21 recommendation of local or regional Remote Access
22 Network Boards to the Board of Supervisors, shall be used
23 exclusively for the purchase, by competitive bidding
24 procedures, and the operation of equipment which is
25 compatible with the Department of Justice's Cal-ID
26 master plan, as described in Section 11112.2 of the Penal
27 Code, and the equipment shall interface in a manner that
28 is in compliance with the requirement described in the
29 Criminal Justice Information Services, Electronic
30 Fingerprint Transmission Specification, prepared by the
31 Federal Bureau of Investigation and dated August 24,
32 1995.

33 (f) The fee imposed under this section shall remain in
34 effect only for a period of five years from the date that the
35 actual collection of the fee commences, unless a later
36 enacted statute deletes or extends that period.

37 SEC. 43. Section 9250.20 is added to the Vehicle Code,
38 to read:

39 9250.20. (a) Fees collected by the department under
40 the Commercial Vehicle Act of ~~2000~~ 2001, shall be

1 distributed to the same funds and accounts, for the same
2 purposes, and in a similar ratio as those fees were
3 previously distributed prior to the enactment of this
4 section.

5 (b) Subdivision (a) does not apply to Sections 9250.7,
6 9250.8, 9250.10, 9250.13, 9250.14, and 9250.15.

7 ~~SEC. 43.1. Section 9250.20 is added to the Vehicle~~
8 ~~Code, to read:~~

9 ~~9250.20. (a) Fees collected by the department under~~
10 ~~the Commercial Vehicle Act of 2000, shall be distributed~~
11 ~~to the same funds and accounts, for the same purposes,~~
12 ~~and in a similar ratio as those fees were previously~~
13 ~~distributed prior to the enactment of this section which~~
14 ~~do not go to cities, cities and counties, or counties~~
15 ~~pursuant to the Vehicle License Fee Law which are not~~
16 ~~vehicle license fees within the meaning of the Vehicle~~
17 ~~License Fee Law (Part 5 (commencing with Section~~
18 ~~10701) of Division 2 of the Revenue and Taxation Code).~~

19 ~~(b) Subdivision (a) does not apply to Sections 9250.7,~~
20 ~~9250.8, 9250.10, 9250.13, 9250.14, and 9250.15.~~

21 SEC. 44. Section 9260 of the Vehicle Code is amended
22 to read:

23 9260. (a) The fee for a temporary registration issued
24 under Section 4004 is one-quarter of the annual fees in
25 Division 3 (commencing with Section 4000) of this code
26 and Part 5 (commencing with Section 10701) of Division
27 2 of the Revenue and Taxation Code, for the period that
28 the vehicle is to be operated in this state.

29 (b) The fee for a trip permit issued under Section 4004
30 is forty-five dollars (\$45) for each commercial motor
31 vehicle.

32 SEC. 45. Section 9261 of the Vehicle Code is amended
33 to read:

34 9261. (a) A service fee of seven dollars (\$7) shall be
35 paid for an identification plate issued pursuant to Section
36 5014. Publicly owned special construction equipment,
37 cemetery equipment, special mobile equipment, logging
38 vehicles, and implements of husbandry are exempt from
39 the service charge.

(b) A service fee of seven dollars (\$7) shall be paid for an identification plate issued pursuant to Section 5016.5.

(c) Upon application for the transfer of interest of an owner in a piece of equipment, vehicle, or implement of husbandry identified pursuant to Section 5014, the transferee shall pay a fee of seven dollars (\$7).

(d) A fee of three dollars (\$3) shall be paid upon the renewal of an identification plate issued pursuant to Section 5014 or 5016.5.

SEC. 46. Section 9400 of the Vehicle Code is amended to read:

9400. Except as provided in Section 9400.1, and in addition to any other registration fee, there shall be paid the fees set forth in this section for the registration of any commercial *motor* vehicle singly, or in combination, that operates with a declared gross weight of 10,000 pounds or less. Weight fees for pickup trucks are calculated under this section. Whenever a camper is temporarily attached to a motor vehicle designed to transport property, the motor vehicle shall be subject to the fees imposed by this section. The camper shall be deemed to be a load, and fees imposed by this section upon the motor vehicle shall be based upon the unladen weight of the motor vehicle, exclusive of the camper.

(a) For any electric vehicle designed, used, or maintained as described in this section, fees shall be paid ~~for registration~~ according to the following schedule:

Unladen Weight	Fee
Less than 6,000 lbs.	\$ 87
6,000 lbs. or more but less than 10,000 lbs.	266
10,000 lbs. or more	358

(b) For any motor vehicle having not more than two axles and designed, used, or maintained as described in this section, other than an electric vehicle, fees shall be paid ~~for registration~~ according to the following schedule:

Unladen Weight	Fee
Less than 3,000 lbs.	\$ 8

1	3,000 lbs. to and including 4,000 lbs.	24
2	4,001 lbs. to and including 5,000 lbs.	80
3	5,001 lbs. to and including 6,000 lbs.	154
4	6,001 lbs. to and including 7,000 lbs.	204
5	7,001 lbs. to and including 8,000 lbs.	257
6	8,001 lbs. to and including 9,000 lbs.	308
7	9,001 lbs. to and including 10,000 lbs.	360
8	10,001 lbs. to and including 11,000 lbs.	409
9	11,001 lbs. to and including 12,000 lbs.	462
10	12,001 lbs. to and including 13,000 lbs.	513
11	13,001 lbs. to and including 14,000 lbs.	563
12	14,001 lbs. and over	616

13

14 (c) For any motor vehicle having three or more axles
 15 designed, used, or maintained as described in this section,
 16 other than an electric vehicle, fees shall be paid for
 17 registration according to the following schedule:

18

19	Unladen Weight	Fee
20	2,000 lbs. to and including 3,000 lbs.	\$ 43
21	3,001 lbs. to and including 4,000 lbs.	77
22	4,001 lbs. to and including 5,000 lbs.	154
23	5,001 lbs. to and including 6,000 lbs.	231
24	6,001 lbs. to and including 7,000 lbs.	308
25	7,001 lbs. to and including 8,000 lbs.	385
26	8,001 lbs. to and including 9,000 lbs.	462
27	9,001 lbs. to and including 10,000 lbs.	539
28	10,001 lbs. to and including 11,000 lbs.	616
29	11,001 lbs. to and including 12,000 lbs.	693
30	12,001 lbs. to and including 13,000 lbs.	770
31	13,001 lbs. to and including 14,000 lbs.	847
32	14,001 lbs. to and including 15,000 lbs.	924
33	15,001 lbs. and over	1,016

34

35 (d) This section is not applicable to any vehicle that is
 36 operated or moved over the highway exclusively for the
 37 purpose of historical exhibition or other similar
 38 noncommercial purpose.

39 (e) The fee changes effected by this section apply to
 40 (1) initial or original registration on or after January 1,

1 1995, and prior to December 31, ~~2000~~ 2001, of any
 2 commercial vehicle never before registered in this state
 3 and (2) to renewal of registration of any commercial
 4 vehicle whose registration expires on or after January 1,
 5 1995, and prior to ~~January 1, 2000~~ December 31, 2001.

6 (f) Any registration of a commercial vehicle subject to
 7 this section for which the following apply:

8 (1) The initial or original registration fee is due on or
 9 after December 31, ~~2000~~ 2001, or any vehicle not
 10 previously registered in this state.

11 (2) The renewal of registration of any vehicle for
 12 which the registration period expires on or after
 13 December 31, ~~2000~~ 2001, shall be assessed fees based on
 14 this section.

15 SEC. 47. Section 9400.1 is added to the Vehicle Code,
 16 to read:

17 9400.1. In addition to any other registration fee, there
 18 shall be paid the fees set forth in this section for the
 19 registration of commercial motor vehicles operated
 20 either singly or in combination with a declared gross
 21 vehicle weight of 10,001 pounds or more. *Pickup truck*
 22 *weight fees are not calculated under this section.*

Gross Vehicle Weight Range	Fee
10,001–14,999	\$_____
15,000–19,999	_____
20,000–26,000	_____
26,001–29,999	_____
30,000–34,999	_____
35,000–39,999	_____
40,000–44,999	_____
45,000–49,999	_____
50,000–54,999	_____
55,000–59,999	_____
60,000–64,999	_____
65,000–69,999	_____
70,000–74,999	_____
75,000–80,000	_____

1 The fee changes effected by this section apply to (1)
 2 initial or original registration on and after December 31,
 3 ~~2000~~ 2001, of any commercial motor vehicle operated
 4 either singly or in combination with a declared gross
 5 vehicle weight of 10,001 pounds or more and (2) to
 6 renewal of registration of any commercial motor vehicle
 7 operated either singly or in combination, with a declared
 8 gross vehicle weight of 10,001 pounds or more for which
 9 registration expires on or after December 31, ~~2000~~ 2001.

10 SEC. 47.1. Section 9400.1 is added to the Vehicle
 11 Code, to read:

12 9400.1. In addition to any other registration fee, there
 13 shall be paid the fees set forth in this section for the
 14 registration of commercial motor vehicles operated
 15 either singly or in combination with a declared gross
 16 vehicle weight of 10,001 pounds or more.

17		
18	Gross Vehicle Weight Range	Fee
19	10,001–14,999	\$ _____
20	15,000–19,999	_____
21	20,000–26,000	_____
22	26,001–29,999	_____
23	30,000–34,999	_____
24	35,000–39,999	_____
25	40,000–44,999	_____
26	45,000–49,999	_____
27	50,000–54,999	_____
28	55,000–59,999	_____
29	60,000–64,999	_____
30	65,000–69,999	_____
31	70,000–74,999	_____
32	75,000–80,000	_____

33
 34 The fee changes effected by this section apply to (1)
 35 initial or original registration on and after December 31,
 36 2000, of any commercial motor vehicle operated either
 37 singly or in combination with a declared gross vehicle
 38 weight of 10,001 pounds or more and (2) to renewal of
 39 registration of any commercial motor vehicle operated
 40 either singly or in combination, with a declared gross

1 vehicle weight of 10,001 pounds or more for which
2 registration expires on or after December 31, 2000.

3 SEC. 48. Section 9406 of the Vehicle Code is amended
4 to read:

5 9406. Alterations or additions to registered vehicles
6 for which fees have been paid under Section 9400 or
7 9400.1 placing the vehicles in weight fee classifications
8 under Section 9400 or 9400.1 greater than the weight fees
9 previously paid shall be reported to the department and
10 at the same time the difference between the weight fee
11 previously paid, reduced as provided in Section 9407, and
12 the greater weight fee, reduced as provided in Section
13 9407, shall be paid to the department upon the operation
14 of the vehicles in the greater weight fee classification
15 under Section 9400 or 9400.1.

16 SEC. 49. Section 9406.1 is added to the Vehicle Code,
17 to read:

18 9406.1. Prior to operation of a vehicle at a ~~certified~~
19 declared gross vehicle weight greater than reported to,
20 and registered by, the department, the owner shall make
21 application to the department and pay all appropriate
22 fees.

23 SEC. 50. Section 9554.2 is added to the Vehicle Code,
24 to read:

25 9554.2. Upon the operation of a commercial motor
26 vehicle at a greater gross vehicle weight than ~~that that~~
27 had been reported to and registered by the department,
28 a new registration application shall be made to the
29 department. The greater declared gross vehicle weight
30 ~~fee and applicable penalties as defined in Sections 9406~~
31 ~~and 9559~~ *fee as required in Section 9400.1 and any*
32 *penalties defined in this code* shall be paid to the
33 department.

34 SEC. 51. Section 27910 is added to the Vehicle Code,
35 to read:

36 27910. The Department of the California Highway
37 Patrol shall initiate a 12-month study to determine an
38 effective means to enforce the provisions of the
39 Commercial Vehicle Registration Act of 2000. The
40 Department of the California Highway Patrol, after

1 consultation with representatives from the Department
2 of Transportation, the Board of Equalization, the
3 Department of Motor Vehicles, and the commercial
4 vehicle industry, shall provide, on or before _____,
5 recommendations to the Legislature for actions to be
6 taken to ensure compliance with that act.

7 SEC. 52. Section 36010 of the Vehicle Code is
8 amended to read:

9 36010. A “farm trailer” is either of the following:

10 (a) A trailer or semitrailer owned and operated by a
11 farmer in the conduct of agricultural operations, and used
12 exclusively to transport agricultural products upon the
13 highway to the point of first handling and return.

14 (b) A trailer or semitrailer equipped with rollers on
15 the bed, with a frame not taller than 10 inches high, and
16 with a gross vehicle weight rating of 10,000 pounds or less,
17 that is owned, rented, or leased by a farmer and operated
18 by that farmer in the conduct of agricultural operations,
19 used exclusively to transport fruit and vegetables upon
20 the highway to the point of first handling and return, and
21 that was manufactured and in use prior to January 1, 1997.
22 These vehicles may also be operated on the highways
23 without a load for the purposes of delivering a rented or
24 leased vehicle to the renting or leasing farmer’s farm, or
25 returning empty to the owner’s premises.

26 SEC. 53. Section 36109 of the Vehicle Code is
27 amended to read:

28 36109. “Farm trailers,” as defined in Section 36010,
29 having a gross weight of 10,000 pounds or less, are exempt
30 from registration except that Section 5014 shall apply to
31 such trailers.

32 SEC. 54. Section 42030.1 is added to the Vehicle Code,
33 to read:

34 42030.1. (a) Every person convicted of a violation of
35 any declared gross vehicle weight limitation provision of
36 this code, shall be punished by a fine that equals the
37 amounts specified in the following table:

38

Pounds in Excess of the Declared Gross Vehicle Weight	Fine
1,001–1,500	\$ 250
1,501–2,000	300
2,001–2,500	350
2,501–3,000	400
3,001–3,500	450
3,501–4,000	500
4,001–4,500	550
4,501–5,000	600
5,001–6,000	700
6,001–7,000	800
7,001–8,000	900
8,001–10,000	1,000
10,001 and over	2,000

(b) No part of the penalties prescribed by this section shall be suspended for a conviction of any of the following:

(1) Section 40001 for requiring operation of a vehicle upon a highway in violation of any provision referred to in this section.

(2) Any provision referred to in this section when a second or subsequent conviction of a violation thereof occurs within three years immediately preceding the violation charged.

SEC. 55. On or before January 1, ~~2002~~ 2003, and annually thereafter, the Department of ~~Transportation~~ *Motor Vehicles*, in consultation with the Department of the California Highway Patrol, the Department of ~~Motor Vehicles~~ *Transportation*, the Board of Equalization, and the commercial vehicle industry, shall review and report to the Legislature its findings and, if applicable, make any recommendation as to the necessary adjustments in the fee schedule, to ensure that revenue neutrality is obtained and maintained for all affected entities and funds.

SEC. 55.2. (a) The validity of the assertion in the provisions of this act adding Section 10851.5 to the Revenue and Taxation Code that the moneys equal to the sum of the vehicle license fees that were collected from

1 commercial trailers or semitrailers under the unladen
2 weight registration system, prior to January 1, 2000, shall
3 be incorporated into the declared gross vehicle weight
4 fee schedule as set forth in Section 9400.1 of the Vehicle
5 Code as part of the implementation of the permanent
6 trailer plate identification program are the successor to
7 the former vehicle license fee provisions applicable to
8 commercial vehicles and subject to Section 15 of Article
9 XI of the California Constitution, and fall within the
10 exemption set forth in Section 7 of Article XIX of the
11 California Constitution, and therefore are not subject to
12 the dedication provisions of Article XIX ~~may be~~
13 ~~challenged only by the filing with California Supreme~~
14 ~~Court of a writ within 30 calendar days after this act is~~
15 ~~enacted and becomes effective.~~ *Any challenge relating*
16 *to the issue of whether or not additional sums collected*
17 *under Section 9400.1 qualify as revenues collected*
18 *pursuant to the successor to the Vehicle License Fee Law*
19 *(Part 5 (commencing with Section 10701) of Division 2 of*
20 *the Revenue and Taxation Code), as described in*
21 *subdivision (a) of Section 15 of Article XI of the California*
22 *Constitution, shall be raised before the California*
23 *Supreme Court by writ within 30 days of the date this act*
24 *is enacted and becomes operative. Any subsequent*
25 *challenge on this ground shall be filed in the same fashion*
26 *within 30 days of the actual standing to make that*
27 *challenge.*

28 (b) The California Supreme Court shall issue its
29 decision on the writ no later than 45 calendar days after
30 it is filed with the court.

31 ~~(c) If the Supreme Court determines that the moneys~~
32 ~~referred to in subdivision (a) of this section are subject to~~
33 ~~the dedication provisions of Article XIX of the California~~
34 ~~Constitution, then:~~

35 ~~(1) Sections 1.2, 1.3, 1.4, 7.5, 43.1, and 47.1 of this act~~
36 ~~shall go into effect on the first day on which the~~
37 ~~Department of Motor Vehicles is so notified by the~~
38 ~~Department of Finance of that final judicial~~
39 ~~determination by the California Supreme Court.~~

~~(2) Sections 43 and 47 of this act shall be inoperative and be repealed on the first day on which the Department of Motor Vehicles is so notified by the Department of Finance of that final judicial determination by the California Supreme Court.~~

~~SEC. 55.4. Notwithstanding Section 2229 of the Revenue and Taxation Code, no appropriation is made by this act and the state shall not reimburse any local government for any property tax revenues lost by it pursuant to Section 1.5 of this act.~~

~~(c) If a challenge is raised under subdivision (a) of this section, this act shall not become operative until the date the Department of Motor Vehicles is notified by the Department of Finance of a final determination by the California Supreme Court that the revenues collected under Section 9400.1 are a successor to the Vehicle License Fee Law.~~

~~SEC. 55.5. This act shall become operative for vehicle registrations that expire December 31, 2001.~~

~~SEC. 55.7. The sum of three million five hundred twenty thousand eight hundred nine dollars (\$3,520,809) is hereby appropriated to the Department of Motor Vehicles from the Motor Vehicle Account in the State Transportation Fund for purposes of implementing this act.~~

~~SEC. 56. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.~~

~~SEC. 57. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:~~

1 If California does not enact this act during this
2 legislative session, California stands to lose as much as
3 \$126 million in truck and trailer revenues. Of equal
4 concern is the fact that if California is no longer a member
5 of the IRP, many trucking fleet operators may be
6 encouraged to relocate their operations outside of this
7 state, meaning the loss of valuable jobs. In order to protect
8 California's interests, it is vital that this act go into
9 immediate effect.

